

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-11803-MLW

SHENIA DANCY-STEWART as  
Administratrix of the Estate of EVELINE  
BARROS-CEPEDA,  
Plaintiffs,

v.

THOMAS TAYLOR, Jr., and the CITY  
OF BOSTON,  
Defendants.

**DEFENDANT CITY OF BOSTON'S, DEFENDANT THOMAS TAYLOR'S AND  
NONPARTY WITNESS' CARLOS FERNANDES' JOINT STATUS REPORT  
REGARDING THE COURT'S MAY 12, 2008 HEARING**

Defendants, City of Boston and Thomas Taylor, Jr. ("Defendants"), along with nonparty witness, Carlos Fernandes, file this status report jointly to advise the Court of recent developments material to today's May 12, 2008 hearing. These developments include the following:

1. Nonparty witness Carlos Fernandes hereby acknowledges that service was properly effected regarding the April 16, 2008 hearing and he will no longer contest the issue of service nor raise the issue that he did not receive proper notice of the April 16, 2008 hearing.
2. Additionally, Mr. Fernandes states that it will be unnecessary for him to cross-examine John Gamel regarding the issue described supra in Paragraph 1.

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NONPARTY WITNESS, CARLOS  
FERNANDES

Respectfully submitted,  
DEFENDANTS, THOMAS TAYLOR, JR.  
AND CITY OF BOSTON,

By his attorney,

By their attorneys:

/s/ James S. Dilday

/s/ Helen G. Litsas

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**CERTIFICATE OF SERVICE**

I, Helen G. Litsas, hereby certify that on this date I served a copy of the foregoing documents upon lead plaintiff's counsel, Andrew Stockwell-Alpert, by electronic filing, email and facsimile.

5/12/08

/s/ Helen G. Litsas

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Date

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Helen G. Litsas